

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT CINCINNATI**

RICHARD COOK,	:	Case No. 1:22-cv-140
	:	
Petitioner,	:	
	:	
vs.	:	District Judge Matthew W. McFarland
	:	Magistrate Judge Peter B. Silvain, Jr.
	:	
WARDEN, LONDON	:	
CORRECTIONAL INSTITUTION,	:	
	:	
Respondent.	:	

REPORT AND RECOMMENDATION¹

Petitioner, an inmate at the London Correctional Institution, has filed a motion for leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915(a) in connection with a petition for a writ of habeas corpus. (Doc. 1). The total filing fee due in this habeas corpus action is \$5.00. Petitioner's application reveals that as of March 7, 2022, he had \$56.87 on account to his credit. (See Doc. 1, PageID 1). The application thus demonstrates that petitioner has sufficient funds available to pay the full \$5.00 filing fee in order to institute this action. Accordingly, it is **RECOMMENDED** that petitioner's application for leave to proceed *in forma pauperis* (Doc. 1) be **DENIED** and petitioner be ordered to pay the full filing fee of \$5.00 within **thirty (30) days**. Petitioner should also be notified that his failure to pay the full filing fee within thirty days will result in the dismissal of this action.

IT IS SO RECOMMENDED.

March 21, 2022

s/Peter B. Silvain, Jr.

Peter B. Silvain, Jr.
United States Magistrate Judge

¹ Attached is a NOTICE to the parties regarding objections to this Report and Recommendations.

NOTICE REGARDING OBJECTIONS

Pursuant to Fed. R. Civ. P. 72(b), any party may serve and file specific, written objections to the proposed findings and recommendations within **FOURTEEN** days after being served with this Report and Recommendations. Such objections shall specify the portions of the Report objected to and shall be accompanied by a memorandum of law in support of the objections. If the Report and Recommendation is based in whole or in part upon matters occurring of record at an oral hearing, the objecting party shall promptly arrange for the transcription of the record, or such portions of it as all parties may agree upon or the Magistrate Judge deems sufficient, unless the assigned District Judge otherwise directs. A party may respond to another party's objections within **FOURTEEN** days after being served with a copy thereof.

Failure to make objections in accordance with this procedure may forfeit rights on appeal. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981).